

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513**

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Mailed: June 27, 2004

Opposition Nos. 91115866 and
91157981

Cancellation Nos. 92028126;
92028127; 92028130; 92028133;
92028145; 92028155; 92028171;
92028174; 92028199; 92028248;
92028280; 92028294; 92028314;
92028319; 92028325; 92028342
and 92028379

**Prairie Island Indian
Community, Plaintiff**

v.

**Treasure Island Corp.,
Defendant**

(as consolidated)¹

Thomas W. Wellington
Interlocutory Attorney,
Trademark Trial and Appeal Board:

On March 31, 2004, plaintiff filed a motion to
consolidate proceedings in Opposition No. 91157981. By way
of the motion, plaintiff seeks to consolidate Opposition No.
91157981 with the previously consolidated proceedings,

Opposition No. 91115866 (as parent) with consolidated proceedings

namely, Opposition No. 91115866 (parent case) and Cancellation Nos. 92028126; 92028127; 92028130; 92028133; 92028145; 92028155; 92028171; 92028174; 92028199; 92028248; 92028280; 92028294; 92028314; 92028319; 92028325; 92028342 and 92028379. In the alternative, plaintiff seeks to suspend Opposition No. 91157981 pending final disposition of the previously consolidated cases.

The motion has been fully briefed by the parties. The Board presumes familiarity with the issues and arguments presented in the papers filed. In an effort to expedite our decision, the Board does not provide a complete recitation of the contentions of each party.

Having reviewed the parties' submissions and arguments as well as the pleadings filed in Opposition No. 91157981 and the previously consolidated proceedings, we note that parties are the same; that the proceedings involve common questions of law or fact; and that the proceedings are in a similar stage.² Therefore, in the interest of judicial economy, plaintiff's motion is granted to the extent that Opposition No. 91157981 is consolidated with the previously

¹ Parties are reminded that their submissions should be captioned in the above manner with Opposition No. 91115866 as the parent case in this consolidated proceeding.

² Specifically, we note that as of the date of the filing of the motion to consolidate, there were approximately 18 days remaining for discovery in Opposition No. 91157981. Also, discovery is open in the previously consolidated proceedings, albeit limited to the cancellation proceedings. As set forth herein, the discovery deadline for Opposition No. 91157981 is reset to coincide with the deadline for the cancellation proceedings.

Opposition No. 91115866 (as parent) with consolidated proceedings

consolidated proceedings, and may be presented on the same record and briefs. See Fed. R. Civ. P. 42(a).

The discovery deadline and trial dates remain as set forth in the Board's June 22, 2004 order. For sake of clarity, the dates are as follows:

THE PERIOD FOR DISCOVERY IN
OPPOSITION NO. 91115866 TO CLOSE: CLOSED

THE PERIOD FOR DISCOVERY
IN OPPOSITION NO. 91157981 and
CANCELLATION NOS. 92028126; 92028127;
92028130; 92028133; 92028145; 92028155;
92028171; 92028174; 92028199; 92028248;
92028280; 92028294; 92028314; 92028319;
92028325; 92028342; and 92028379
TO CLOSE: July 7, 2004

30-day testimony period for party in
position of plaintiff to close: October 5, 2004

30-day testimony period for party in
position of defendant to close: December 4, 2004

15-day rebuttal testimony period for
plaintiff to close: January 18, 2005

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b).

An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.